

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE:

Jason Joseph Ditusa : Chapter 13
Debtor : Case No 07-00064-RGM

Amended Notice & Motion For Return of Unclaimed Funds

Please take notice that Debtors have filed this amended motion for return of unclaimed funds as more particularly stated below.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then you or your attorney must:

X File with the Court, at the address shown above, a written response with supporting memorandum as required by Local Bankruptcy Rules no later than 21 days after service on you of this motion. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must also mail a copy to the persons listed below.

A copy of your written response must be timely mailed or otherwise served on the following persons:

Thomas Gorman, Esquire	Ronald B. Cox, Esquire	United States Trustee
300 N. Washington St, #400	P.O. Box 468	115 South Union St.
Alexandria, Virginia 22314	Occoquan, Va. 22125	Alexandria, Va 22314

The Court's mailing and physical address is:

Clerk of Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, Virginia 22314

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

The grounds for this amended motion are as follows:

The Debtor, by counsel, moves under Local Rule 3011-1 for the return to Debtor of certain unclaimed funds from Debtor's Chapter 13 estate on grounds as follow:

1. Debtor is on active duty in the U. S. Military (Air Force) overseas at an undisclosed location and recently completed his Chapter 13 Plan and received his discharge.
2. As a result of overpayment of withheld wages pursuant to the Court's wage order after required payments had completed, three successive refund checks of \$805.80, \$530.00 and \$530.00 were initially directed to Debtor by the Trustee and are believed to have been returned for want of a good address. Counsel is aware of no other claim on these funds.
3. Counsel represented Debtor throughout this matter and has attached a executed retainer agreement.
4. This motion has been amended to claim a total of three refund checks rather than the sole check initially claimed.

/S/Jason Joseph Ditus
Jason Joseph Ditus, by counsel

/S/RONALD B. COX
RONALD B. COX, ESQUIRE
Counsel for Debtor
P.O. Box 468
308 Poplar Alley, Suite C
Occoquan, Virginia 22125
(703) 490-3000
VIRGINIA STATE BAR NUMBER: 16981

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true copy of the foregoing was mailed, first class to Office of the U. S. Attorney, 2100 Jamieson Ave., Alexandria, Va. 22313, to the U. S. Trustee's Office, 115 S. Union St., Alexandria, Va. 22314 and any other affected parties on this 22th day of May, 2012.

/S/RONALD B. COX
RONALD B. COX